

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF APRIL 6, 2004.

ATTENDANCE

COUNCIL: Randy Menard (Chair - District 9), Rob Stevenson (Vice Chair - District 8), Bobby Badeaux (District 1), Dale Bourgeois (District 2), Christopher J. Williams, Ph.D. (District 3), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5), Bruce Conque (District 6)

ABSENT: Marc Mouton (District 7)

COUNCIL STAFF: Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk), Monica Fontenot (Administrative Assistant)

ADMINISTRATIVE STAFF: Dee Stanley (CAO), Pat Ottinger (City-Parish Attorney), Gail Smith (Director of Administrative Services), Chief Robert Benoit (Fire Department), Interim Chief Randy Hundley (Police Department), Becky Lalumia (Director of Finance & Management), Melanie Lewis (Director of Community Development), Tony Tramel (Director of Traffic & Transportation), Tom Carroll (Director of Public Works), Eleanor Bouy (Director of Planning, Zoning & Codes), Gerald Boudreaux (Director of Parks & Recreation)

COMMENCEMENT

(TAPE 1)(SIDE A)(042)AGENDA ITEM NO. 1: Call to order.

Chair Randy Menard called the Regular Council Meeting of April 6, 2004 to order.

(TAPE 1)(SIDE A)(044)AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Bruce Conque was called upon to deliver the invocation and lead the Pledge of Allegiance.

Chair Menard announced that Councilman Marc Mouton is out of town on business and will not be present for the meeting. He added that a briefing has been scheduled for April 13 regarding LUS's new generation source.

(TAPE 1)(SIDE A)(070)AGENDA ITEM NO. 3: **EXECUTIVE/PRESIDENT'S REPORT**

CAO Dee Stanley announced that Mr. Durel would not be present for the meeting due to a scheduling conflict. He introduced Ms. Karen Hover, Budget Manager, who recently resigned from her position. She will be getting married in the near future and will be moving out of state. Stanley congratulated her and wished her the best of luck.

(TAPE 1)(SIDE A)(080)AGENDA ITEM NO. 4: **COUNCIL ANNOUNCEMENTS**

Williams updated the Council regarding a recent conversation regarding abandoned railroad tracks. There are 4.2 miles of abandoned tracks located on the north side of Lafayette that have become overgrown and used as a dumping ground for white goods, vehicles, trash, etc. It has been difficult to determine who owns the property. The cost estimate for cleanup is approximately \$10,000; however, options are being investigated involving collaborative efforts to determine who LCG could work with to clean up this area. Williams requested a status report from the Administration by the end of the month.

RESOLUTIONS

(TAPE 1)(SIDE A)(131)AGENDA ITEM NO. 5: R-025-2004 A resolution of the Lafayette City-Parish Council authorizing the filing of an application with the State of Louisiana for a grant under Governor's Safe and Drug-Free Schools and Communities Act to operate within the office of Criminal Justice Support Services/Court Services. A motion to approve by Conque, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

Motion was approved.

(TAPE 1)(SIDE A)(141)AGENDA ITEM NO. 6: R-026-2004 A resolution of the Lafayette City-Parish Council certifying the population census counts for the fire service units in Lafayette Parish for the purpose of distribution of 2% insurance rebate program. A motion to approve by Badeaux, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

Motion was approved.

(TAPE 1)(SIDE A)(149)AGENDA ITEM NO. 7: R-027-2004 A resolution of the Lafayette City-Parish Council opposing the plan of President George W. Bush to eliminate Community Development Block Grant funding in year 2005. A motion to approve by Williams, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Menard

NAYS: Stevenson

ABSENT: Mouton

ABSTAIN: None

Motion was approved.

ORDINANCES FOR FINAL ADOPTION

(TAPE 1)(SIDE A)(158)AGENDA ITEM NO. 8: O-057-2004 An ordinance of the Lafayette City-Parish Council amending Ordinance No. O-164-2002 to authorize the current Director of Community Development to execute all documentation necessary to complete the transaction. A motion to approve by Benjamin, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

Motion was approved.

(TAPE 1)(SIDE A)(177)AGENDA ITEM NO. 9: O-058-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$48,183 from West Willow Street and Jefferson Street Underpass Improvement projects to Reserve-Streets. A motion to approve by Bourgeois, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

Motion was approved.

Upon questioning by Williams, Pat Logan confirmed West Willow Street has been completed.

(TAPE 1)(SIDE A)(192)AGENDA ITEM NO. 10: O-059-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$213,183 from Reserve-Streets to St. John Street Improvements project within the Department of Public Works for additional funding needed. A motion to approve by Williams, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

Motion was approved.

(TAPE 1)(SIDE A)(203)AGENDA ITEM NO. 11: O-060-2004 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to grant a servitude to Lafayette Parish Waterworks District North to permit the installation of a water line. A motion to approve by Williams, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

Motion was approved.

(TAPE 1)(SIDE A)(211)AGENDA ITEM NO. 12: O-061-2004 An ordinance of the Lafayette City-Parish Council declaring the Sunbeam Coulee Drainage Improvements project a public necessity and authorizing the acquisition of the necessary rights-of-way and other property rights requisite to the construction of said project, either on an amicable basis or through the use of the expropriation process if necessary. A motion to approve by Conque, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

Motion was approved.

Tom Carroll explained bonds are to be sold later in the year with construction due to begin in 2005.

(TAPE 1)(SIDE A)(242)AGENDA ITEM NO. 13: O-062-2004 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to enter into a joint cooperative endeavor agreement with the University of Louisiana At Lafayette to assist in a red light running study. A motion to approve by Stevenson, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Conque, Stevenson, Menard

NAYS: Broussard

ABSENT: Mouton

ABSTAIN: None

Motion was approved.

(TAPE 1)(SIDE A)(251)AGENDA ITEM NO. 14: O-063-2004 An ordinance of the Lafayette City-Parish Council naming the new park and golf course the I. R. "Bud" Chalmers Park and "The Wetlands" Golf Course. A motion to approve by Stevenson, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

Motion was approved.

The following person was recognized:

Richard Chalmers, on behalf of his family, is honored for the naming of the park and the golf course after his father. His father was very active and involved with the Parks and Recreation Advisory Commission, coached sports and was responsible for the expansion of golf in Lafayette as well as many other endeavors.

(TAPE 1)(SIDE A)(291)AGENDA ITEM NO. 15: O-064-2004 An ordinance of the Lafayette City-Parish Council amending Ordinance No. O-275-2003 to identify the name of the current Lafayette City-Parish President. A motion to approve by Benjamin, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

Motion was approved.

(TAPE 1)(SIDE A)(301)AGENDA ITEM NO. 16: O-065-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the increase of revenues in the amount of \$20,000 from Housing Counseling Service grant funds received from the U. S. Department of Housing and Urban Development and appropriating within the Department of Community Development. A motion to approve by Williams, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

Motion was approved.

Sandra Moore explained the grant is for the Human Services Division, Neighborhood Counseling Services Program.

(TAPE 1)(SIDE A)(330)AGENDA ITEM NO. 17: O-066-2004 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to execute an Act of Cash Sale whereby the Lafayette City-Parish Consolidated Government will purchase certain real estate located at 1006 West Simcoe, Lafayette, Louisiana from the succession of John Joseph Linden, for utilization by the Department of Community Development, Housing Division. A motion to approve by Williams, seconded by Bourgeois, and the vote was as follows:
YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard
NAYS: None
ABSENT: Mouton
ABSTAIN: None
Motion was approved.

Upon questioning by Benjamin, Roger Drake, Housing Manager explained this ordinance was a continuation of the Urban Infill Program. A house will be built and sold to a current resident of the Public Housing Authority.

(TAPE 1)(SIDE A)(349)AGENDA ITEM NO. 18: O-067-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a portion of a utility easement and a drainage easement on Lot 7 of Camelot Subdivision, having a municipal address of 213 Clem Drive. A motion to approve by Stevenson, seconded by Bourgeois, and the vote was as follows:
YEAS: Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard
NAYS: None
ABSENT: Badeaux, Mouton
ABSTAIN: None
Motion was approved.

(TAPE 1)(SIDE A)(359)AGENDA ITEM NO. 19: O-068-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the receipt of Surplus Workforce Investment Act (WIA) Dislocated Worker Revenues under Title I-B of the Workforce Investment Act in the amount of \$100,000.00 from the Louisiana Department of Labor for authorized WIA services, and appropriating same within the Department of Community Development, Workforce Development Division and the Department of Administrative Services, Workforce Investment Board Division Title I-B budgets. A motion to approve by Bourgeois, seconded by Conque, and the vote was as follows:
YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard
NAYS: None
ABSENT: Mouton
ABSTAIN: None
Motion was approved.

CONSIDER APPOINTMENTS BY THE COUNCIL, AS A WHOLE, TO FOLLOWING BOARDS/COMMISSIONS

AGENDA ITEM NO. 20: Appointment of _____ to the Industrial Development Board to fill an unexpired term until January 13, 2008.

No resumes were received; therefore this appointment will be readvertised.

AGENDA ITEM NO. 21: Appointment of _____ to the Industrial Development Board for a six year term effective April 7, 2004.

No resumes were received; therefore this appointment will be readvertised.

(TAPE 1)(SIDE A)(380)AGENDA ITEM NO. 22: Appointment(s) by Council member(s) and/or City-Parish President and/or Area Mayors, and/or any other direct appointing authority.

| <u>Appointing Authority</u> | <u>Appointee Name And Address</u> | <u>Board, Commission And/or Legal Agency</u> | <u>Term</u> | <u>Effective Date</u> |
|-----------------------------|--|--|-------------|-----------------------|
| Council District 9 | Bob LaFosse 103 Bonvillain St. Broussard, LA 70518 | Lafayette Parish Water Works District North | 4 years | 05/16/2004 |

(TAPE 1)(SIDE A)(385)AGENDA ITEM NOS. 23-42: A motion was offered by Benjamin, seconded by Williams, to approve for introduction the following ordinances, in-globo and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

Motion was approved.

INTRODUCTORY ORDINANCES - ZONING

23. O-069-2004 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance and the official map of the City of Lafayette, providing for the annexation of additional land into the corporate limits of the City of Lafayette, Louisiana, Case No. Z2004-05 (A) Grand Pointe Annexation, located generally east and west of Kaliste Saloom Road, north of East Broussard Road, and east of the Vermilion River, which is located within Council Districts No. 7 and No. 9 for voting purposes, and assigning zoning classifications of R-2 (Multi-Family Residential) and B-T (Transitional Business).

INTRODUCTORY ORDINANCES

24. O-070-2004 An ordinance of the Lafayette City-Parish Council providing for the illegal acts of possession and attempted possession of marijuana.
25. O-071-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by increasing the contribution from the District Attorney's Office for \$11,950 to allow for the purchase of a new telephone system and authorizing the Lafayette City-Parish President to enter into an intergovernmental agreement with the District Attorney's Office and the District Court Judges.
26. O-072-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$116,902 from various completed capital work orders and adjusting the Council's CIP Reserve and the use of the Parish General Fund prior year fund balance accordingly.
27. O-073-2004 An ordinance of the Lafayette City-Parish Council amending Ordinance No. O-015-2004 which would correct legal description from "North Half (N/2) of Section 31" to "Northwest Quarter of Section 31" and remove boundaries from description. (Road nominations for oil, gas, and mineral leases).
28. O-074-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the increase of revenues in the amount of \$2,127.00 (no grant match is required) received from the Louisiana Commission on Law Enforcement (LCLE) through the Evangeline Law Enforcement Council under Act 562 Equipment Program (duration of this grant is from July 1, 2003 to June 30, 2004); and, appropriating the revenues within the Lafayette Police Department.
29. O-075-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the decrease of revenues in the amount of \$310.00 due to excess allowed from the U.S. Department of Justice which will not be reimbursed due to time expiring before all funds could be utilized and due to the grant period ending December 31, 2003.
30. O-076-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the transfer of \$16,250 from Council Reserve and \$9,561 from salary float to Fire Communications overtime account for additional funding needed.
31. O-077-2004 An ordinance of the Lafayette City-Parish Council amending Section 38-1 of the Lafayette City-Parish Consolidated Government Code of Ordinances to adopt the 2000 edition of the International Fire Code and certain amendments thereto.
32. O-078-2004 An ordinance of the Lafayette City-Parish Council amending Contract No. 500-94-063 between Lafayette City-Parish Consolidated Government and the Recycling

Foundation, Inc.

33. O-079-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$250,000 from Ambassador Caffery/Congress Turn Lanes Project to Reserve - Streets.
34. O-080-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$250,000 from Reserve – Streets to Ambassador Caffery @ Ridge Intersection Improvements Project within the Department of Public Works for additional funding needed.
35. O-081-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$195,535 from various projects to Reserve - Drainage.
36. O-082-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Multi-Year Capital Improvements budget to advance up to \$1,983,000 for engineering, architectural, construction and other costs on the Luke Street Extension – Phase II Bond Project scheduled for FY 03/04 and declaring the official intent of Lafayette City-Parish Consolidated Government to expend general fund or sales tax revenues for purposes for which the bonds of the City are anticipated to be issued and to later reimburse such expenditures from sale proceeds.
37. O-083-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$76,472 from Bridge Improvements-Savoy Rd @ Anselm Coulee Project and Roads-New Construction-Phase I-C to Reserve - Streets.
38. O-084-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by amending the manning tables of the Capital Improvements Estimates and Administration Division to delete one Capital Improvements Manager and increase one Administrative Assistant.
39. O-085-2004 An ordinance of the Lafayette City-Parish Council authorizing the setting aside and reservation of certain lands adjacent to the Acadiana Nature Station Park in accordance with a special agreement for compensatory mitigation and a Louisiana Conservation servitude and authorizing the Lafayette City-Parish President to execute the described agreements and amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by increasing revenues in the amount of \$175,000 from the Department of Transportation and Development and appropriating within the Community Development Department.
40. O-086-2004 An ordinance of the Lafayette City-Parish Council declaring the building or structure located at municipal address, 2000 E. Simcoe Street, Lafayette, Louisiana, owned by Beatrice Francis Eaglin, c/o Gerald J. Block, attorney appointed to be dilapidated and dangerous to the public welfare and ordering the condemnation of same.
41. O-087-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a utility easement on Lot 2 of Maxim P. Soulier et al subdivision and the unplatted property of Maxim P. Soulier et al, having municipal addresses of 2207 Kaliste Saloom Road and the 100 block of East Martial Avenue, respectively.
42. O-088-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a portion of a utility easement in Lots 32 and 33 of La Vil subdivision, having a municipal address of 162 La Rue Vil.

(TAPE 1)(SIDE A)(521)AGENDA ITEM NO. 43: Comments from the public concerning the above Introductory Ordinances.

The following person was recognized:

Lewis Kellogg commented on Item No. #32. He requested for final adoption if the Council or the Administration could provide the cost of recycling. He expressed his concerns with the amount of apartments as well as businesses that do not pay for recycling. Menard requested Clerk Dugas to provide Mr. Kellogg with his requested information by the next meeting.

ADJOURN

There being no further business to come before the Council, Chair Menard declared the regular

Council meeting adjourned.

Norma A. Dugas
Clerk of the Council